

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION**

LOU ALDRIDGE ULMER; and ALMA J. FRAZIER

PLAINTIFFS

v.

CIVIL ACTION NO. 2:20-cv-165-TBM-MTP

UNITED STATES OF AMERICA

DEFENDANT

ORDER

This matter came before the Court on Lou Aldridge Ulmer and Alma J. Frazier's Motion to Exclude Testimony of Courtney Jones [116] and Ulmer and Frazier's Motion in Limine to Admit Summary Evidence [124]. At the hearing conducted in this matter on August 31, 2022, the Court, having considered the pleadings, the record, the oral arguments of counsel, and the relevant legal authority, announced on the record its detailed findings and conclusions concerning each motion ruled upon.

IT IS THEREFORE, ORDERED AND ADJUDGED that, for the reasons stated on the record at the hearing held on August 31, 2022, Ulmer and Frazier's Motion to Exclude Testimony of Courtney Jones [116] is GRANTED IN PART AND DENIED IN PART. It is GRANTED to the extent that by September 2, 2022, the Government shall provide Ulmer and Frazier with the most up-to-date phone number and address it has for Courtney Jones. By September 7, 2022, Ulmer and Frazier shall notify the Government whether they will depose Courtney Jones. If Ulmer and Frazier choose to depose Courtney Jones, the parties shall confer in good faith regarding setting a time and place for the deposition, but the deposition may happen no later than November 1, 2022. To the extent this order bears on the Privacy Act, 5 U.S.C. § 551, this order operates as an exception to its requirements under 5 U.S.C. § 552a(b)(11). The motion is otherwise DENIED.

IT IS THEREFORE, ORDERED AND ADJUDGED that, for the reasons stated on the record at the hearing held on August 31, 2022, Ulmer and Frazier's Motion in Limine to Admit Summary

Evidence [124] is DENIED AS PREMATURE. The parties shall exchange their proposed summary evidence by October 3, 2022, and file any objections to proposed summary evidence by October 17, 2022.

The parties are ordered to confer in good faith before any objections are filed. Also, the parties are ordered to confer in good faith on any other issues leading up to the pretrial conference.

THIS, the 1st day of September, 2022.



TAYLOR B. McNEEL
UNITED STATES DISTRICT JUDGE